

## MIAMI TOWNSHIP BOARD OF TRUSTEES BUSINESS MEETING

**JULY 19, 2016**

The Miami Township Board of Trustees met in regular session on Tuesday, July 19, 2016 at 7:00 PM. Trustee Karl Schultz called the meeting to order and led the Pledge of Allegiance. The invocation was given by Ken Tracy. Fiscal Officer Mr. Ferry called the roll. Attending were Trustees Karl Schultz and Ken Tracy. Mr. Tracy made a motion to approve the minutes of the June 21, 2016 business meeting, seconded by Mr. Schultz with all voting "AYE".

**Correspondence :** None

**Department Reports:** A representative of each department presented a report of activities during the month of June 2016.

Community Development	Mr. Elliff
Finance	Mr. Ferry
Fire/EMS	Assistant Chief Mack
Police	Chief Madsen
Recreation	Mrs. Thibodeau
Service	Mr. Musselman
Administration	Mr. Wright

**Old Business:** None

**New Business:** Mr. Tracy made a motion to pay the bills of the Township with 325 checks numbered 124502 - 124827 and 16 electronic checks numbered 779 - 795 for the total amount of \$2,658,929.30 plus payroll and payroll taxes for the week of 06/18/2016 in the amount of \$390,328.44 and payroll and payroll taxes for the week of 07/02/2016 in the amount of \$370,287.94, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised the need of a Then and Now Certificate in the amount of \$76,573.53.

Mr. Tracy made a motion to adopt Resolution 2016-41 a resolution authorizing the Township Fiscal Officer to issue a Then and Now Certificate for payment of various expenditures and dispensing with the second reading, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright presented the following personnel actions: In the Fire Department to accept the retirement notice from full-time Firefighter/Medic Dana Smith effective July 16, 2016 and reclassify him as a part-time Firefighter 2/Medic effective July 17, 2016 at base rate of \$16.18 per hour, daytime differential of \$20.39 and a nighttime differential of \$17.51 per hour and to offer a Conditional Offer of part-time Firefighter/Medic Employment to Griffin Drake, Tyler Mirick, Luke Palmer, Richard Kraft and David Kimble and part-time Firefighter/EMT to Daniel Knapke, Julie Sparks, Austin Brown and Todd Buzzard. Also to accept the resignation of Andrey Freyhof from his volunteer Firefighter position July 7, 2016 and to offer final employment to Steven Mauter for the position of Volunteer Firefighter EMT.

Mr. Tracy made a motion to approve the Fire/EMS personnel actions as presented, seconded by Mr. Schultz with all voting "AYE".

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Mr. Wright advised that the Police Department and Zoning Department is in possession of miscellaneous surplus equipment that is no longer necessary for its operation or is obsolete. A listing of the surplus equipment is shown as Exhibit A of the resolution. Mr. Wright is recommending the Board adopt Resolution 2016-42 authorizing the disposal by internet auction.

Mr. Tracy made a motion to adopt Resolution 2016-42 a resolution authorizing the disposal of surplus property and authorizing the sale, discard or salvage of certain unneeded or obsolescent personal property no longer necessary for the Township use pursuant to Section 505.10 of the Ohio Revised Code and dispensing with the second reading, seconded by Mr. Schultz with all voting "AYE".

Mr. Schultz explained they were not going to discuss the noise resolutions at this meeting. The Township got input from many residents and they would like time to go over this.

Mr. Wright noted as discussed at the July 11<sup>th</sup> work session, they have been working on parking regulations, on public rights of way, for the Township. As discussed, on streets less than twenty-four feet wide the parking would be limited to the non-hydrant side of the street, there would be no parking in cul-de-sac portions of streets and semi-trailers and moving vans can be parked on the street for loading or unloading only. It is also proposed that parking be limited to no more than seventy-two consecutive hours on public streets unless a specific need is required and permission is sought from the Chief of Police. Mr. Braun noted this will be done gradually like the snow emergency. Mr. Wright is recommending the Board adopt a resolution for parking regulations.

Mr. Tracy made a motion to adopt Resolution 2016-44 a resolution adopting parking regulations for Miami Township, dispensing with the second reading and declaring an emergency, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright noted as discussed at the July 11<sup>th</sup> work session, staff is recommending updating our Solicitors regulations. The new regulations will restrict the hours of solicitation from 9:00 a.m. to 9:00 p.m. and will require a structured application process that would require an applicant to apply for approval through the Police Department, make payment at the Administrative Offices and if approved they will carry proof of said license when going door to door. This formal approval process will offer us the opportunity to know who is peddling in our community, create a record to provide some oversight over their operations with our residents and create a mechanism to revoke a license for inappropriate tactics or behavior. As mentioned at the work session, the regulations would not apply to persons seeking contributions for non-profit organizations, students doing school benefits, Township civic organizations, or persons providing information and literature or political issues, candidates or a religious institution. Mr. Braun advised residents to ask to see the permit of anyone soliciting at their home. If they cannot produce the permit it would be advisable to contact the Police Department. Mr. Wright is recommending the Board adopt Resolution 2016-45.

Mr. Tracy made a motion to adopt Resolution 2016-45 a resolution prohibiting the sale of goods and solicitation of orders for future delivery of goods by transient vendors, dispensing with a second reading and declaring an emergency, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised there is a need to renew the street lighting district for Woods at Miami Trails 2/3/4.

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Mr. Tracy made a motion to adopt Resolution 2016-46 a resolution providing for the procurement of a street lighting system dispensing with the second reading and declaring an emergency for Woods at Miami Trails 2/3/4, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright presented a proposal from Stanley Security for the Police Department that will address critical condition fire monitoring and the installation of two existing heat detectors that have been repurposed from the original demolition of the lower level, installation of cabling per code, panel grounding, smoke detector, strobe and horn installation, temperature sensor and water detector.

Mr. Tracy made a motion to authorize the lower level fire protection services with Stanley Security in the amount of \$12,485.00, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised the Police Department has the need to install a split system air conditioning system to protect the sensitive equipment in the IT room of the Police Department. As discussed recently, three proposals were solicited with staff recommending the system proposed by Miami Township-based Hufford Heating and Air Conditioning.

Mr. Tracy made a motion to authorize the installation of a split system HVAC system from Hufford Heating and Air Conditioning in the amount of \$7,775.00, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright explained they received three bids for the Miami Meadows Lake Erosion Control Project. One of the bids did not have a bid bond as required per bid specifications. Mr. Wright is recommending all three bids be rejected and we rebid this project using only the RediBlock type wall block units. They will provide more of a maintenance free service life and will work well to control the erosion issue. Based on feedback from the Board at the recent Work Session meeting, it is proposed that we rebid the project this year for the first phase to contain only the RediBlock product. This project could be four to five phases.

Mr. Tracy made a motion to reject all of the bids received for the Miami Meadows Lake Erosion Control Project so that the project can be rebid using specs for RediBlock product only, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised that Chief Kelly is requesting to enter into a contract with Zoll Data Systems to create an interface between the new County computer-aided dispatch (CAD) and our EMS reporting software. This project was budgeted as a capital project for 2016. Chief Kelly is requesting to spend up to \$7,000.00 on this project with the anticipation that the actual cost will be less than that amount.

Mr. Tracy made a motion to approve the CAD Interface for EMS Reporting Software purchase in an amount not to exceed \$7,000.00, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright explained the Fire/EMS Department is requesting approval to install two additional card readers at Station 28 to assist with security and inventory control. The two new doors that they would be installed on are the fire investigation evidence room and the uniform and equipment storage area.

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Mr. Tracy made a motion to approve up to \$3,950.00 to purchase and install two additional card readers at Station 28, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised as discussed at the July work session, as part of the pre plan for this upcoming winter season, Mr. Musselman has searched a rental agreement for a rubber tired loader that we need for loading salt into our dump trucks. Last year there was some difficulty securing an agreement and we paid a higher price due to the scarcity of available rental equipment. We typically try to limit the amount of time we rent the machine to reduce our overall cost to rent (5 months). This practice can lead us to being vulnerable to an early or late season snow event. Renting the machine for 6 months (November 1 through April 30) reduces this vulnerability but costs us additional funds. In order to examine the cost effectiveness of this practice, we have received a proposal for purchase of a State bid machine from Southeastern Equipment. This particular machine rents for \$2,500 per month plus \$600 to deliver and pickup. Over a 6 month term this machine will cost us \$15,600. On a 7 year purchase agreement, annual payments for this machine would cost \$17,250.00. For an additional \$1,650.00 per year we could own this machine in 7 years versus pay out \$15,600.00 per year. We can expect to get 10 to 12 years out of this machine. At the 10 year mark, we would have paid out \$156,000.00, based on this year's rental costs, to rent versus \$118,987.00 to own. We would have other costs of ownership such as routine maintenance, repairs, insurance etc, but we would also have use of the machine for the other 6 months of the year as well. Purchasing the machine comes with a 3 year warranty that includes periodic maintenance.

Mr. Tracy made a motion to approve the purchase of a front end loader from Southeastern Equipment at an annual cost of \$17,250.00, seconded by Mr. Schultz with all voting "AYE".

Mr. Wright advised that the Service Department has received bids for road salt at a price that is \$9.26 per ton less than last year. For an economy of scale we bid it through a regional consortium of other local governments. Mr. Musselman is recommending that we accept the salt bid quote of \$53.71 per ton from Morton Salt.

Mr. Tracy made a motion to approve the purchase of road salt from Morton Salt through the regional consortium at a price of \$53.71 per ton, seconded by Mr. Schultz with all voting "AYE".

**Public Comment:** Mr. Jesse Geiger of 9 Rose Lane Farm Drive came forward to state he has reviewed a lot of noise standards from across Ohio in Townships, Cities, Counties and based on what he has seen so far when a decibel approaches 75 which is in the Township's current draft, in 80% of the cases he has looked at there is usually multiple decibel levels and they are set based on the different zoning classifications. Mr. Geiger stated in his research when there is a single decibel setting across all zoning classifications it has been typically 60 decibels. Mr. Geiger stated he is of the feeling that it is the Townships desire to get noise out of the Zoning Code and into a stand-alone noise resolution with the intention that the Police can enforce the regulations. Mr. Geiger stated what he has seen in a number of instances is not the removal entirely but to reference the stand alone resolution where you have all of the compliances to be enforced. Mr. Geiger stated with all of the noise standards he has reviewed 80% has been 50 to 60 decibels from any zoning designation to another zoning designation. He believes 75 decibels, which is in the Miami Township draft resolution, is way outside the normal for a residential property. Mr. Geiger believes the setting a 50 decibel at night and hours seems to be consistent with other communities. Mr. Geiger believes the readings should

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be taken at the property line of the source of the noise or the property line of the receiving property. Mr. Geiger said the decibel scale shows that 75 decibels is three (3) times louder than 60 decibels and four (4) times louder than 55 decibels. He asked that the Board take into consideration the appropriate decibels for residential zoning. Mr. Geiger stated he would be happy to share his research. Mr. Tracy stated the 75 decibel was a place holder in the draft resolution and that they, along with Mr. Braun are doing research and in no way were they ready to vote on the draft resolution. Mr. Tracy stated the language in the document is very key due to State law and Federal law that we have to make sure that it is enforceable, to have the correct language in the document and to make sure they are addressing the needs of the community. Mr. Braun stated he appreciates the comments from Mr. Geiger and has incorporated them into the draft resolution and they will be discussing permitting for special projects such as demolitions of structures because they got readings in the range of 80 to 85 decibels during the demolition of the two elementary schools and the construction project at the Kroger store at Branch Hill Guinea Pike and Loveland Miamiville. Mr. Braun added that the Police Department has done extensive readings all over the Township especially those areas that have been the subject of most complaints. Mr. Geiger asked how residents will know when the noise resolution will be voted on. Mr. Schultz stated they will be working on this for a period of time and when they are close to a final document the public will be informed. Mr. Tracy urged the residents to e-mail the Trustees any time they have a question and they will get back to them.

The resident of 586 Wards Corner Road came forward regarding a wall he believes is unsightly and unsafe and is on Township Property on Catherine Alley. This gentleman stated he has taken truck loads of trash from Catherine Alley and feels it has been neglected for years. This gentleman stated he has left notes at the front desk three times and realized he was leaving them at the Recreation Department. This gentleman stated he spoke to someone who said the wall was his problem and he does not believe it is since it is on Township property. Mr. Wright advised he received a call from another resident regarding Catherine Alley and Mr. Wright looked into this alley. Mr. Wright stated this is what is known as a paper street and it is a piece of right of way that was never improved. When someone encroaches on a paper street by a property owner this becomes a problem. Mr. Wright has met with the Clermont County Engineer's Office and asked what the process would be to vacate a paper street and the property be split down the middle of the adjoining property owners. The Board asked if this is a public right of way and owned by the Township. Mr. Braun stated he would look into this. The resident stated people have been parking on Catherine Alley for many years so it has been in use and it does have some pavement and a wall. The Board asked the gentleman to contact Mr. Wright so he can get information on this issue. The gentleman stated the wall is a danger and needs to be taken down.

Mr. Aaron Tyler of 5772 Observation Ct. came forward to ask if the noise resolution would apply to power tools. Mr. Braun said they would fall into the regulations. Mr. Tyler also asked about the measuring of the decibels and does not feel that is clearly defined. Mr. Tyler asked about the dispensing with the second reading because it is an emergency and is wondering why. Mr. Braun stated it is a procedural issue by doing it that way. Mr. Tyler stated he would like to see the final text before it is voted on. The Board stated he can call and ask Mr. Wright or Mr. Elliff when the final text will be ready for anyone to see.

Mr. Mark Hardin of Miamiville came forward to ask the Board to look at the way the zoning was laid out back in 1960. Mr. Hardin stated no other place but Miamiville will you have Industrial next to

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Residential and there will always be an issue. Mr. Hardin asked if they were going to include odors, dust and vibrations in the noise resolution. It was stated that it was part of the Zoning Code and not part

of a noise resolution. Mr. Schultz stated they don't want to put something in a Code that is not enforceable.

Ms. Jane Overbeck of 431 Pinebluff Drive came forward to express her concerns about the Vision 2025 with the revitalization of the riverfront communities of Miamiville and Branch Hill as being a key focus or a goal by 2025 and she has a concern of the noise in Miamiville from the Industrial development that has plagued their section recently for a period of time. They would like to think that things are getting better and that efforts are being made to revitalize, she sees the expansion of the sewers starting to come into Miamiville and she knows that is key to get water and the sewers down that way and they hope that will continue to be a focus since we are less than ten years from 2025. Ms Overbeck said to quote the Vision 2025 document the vision was to develop light industrial land uses that do not create significant nuisances for surrounding parcels. Ms. Overbeck said, in summary, her key word is revitalization for Miamiville, Branch Hill and she is speaking more for Miamiville at this point and that there be some opportunities coming up you would be poised to help this vision become a reality.

Mr. Chris Hamm President of the Milford Miami Township Chamber of Commerce came forward to state they have spent the last ten months taking a look at what they do in terms of representing the businesses, their partnership with local governments and came up with a plan that they like to call Vision 2020 which is a five year strategy and re-branding plan. Mr. Hamm had a slide presentation showing the old logo and the new logo. Mr. Hamm stated they are entering their 70<sup>th</sup> year as a chamber and the board decided it was time to take a look at how they serve their businesses. What they want to do in terms of, reviewing other organizations, they want to strengthen our businesses, improve partnerships, focus on education and improve our quality of life in our community. Mr. Hamm stated they are recognizing Milford and Miami Township as separate communities and they are trying to be a conduit for both through advocacy, education, community development and economic development and growth. Mr. Hamm commented on how the many ways the Chamber supports its members and what is new with the Chamber.

Karen Wikoff, Executive Director of the Milford Miami Township Chamber came forward to state they are excited about the future of the Chamber and working with us and that the National Night Out will be August 2<sup>nd</sup> from 6:00 p.m. to 9:00 p.m. at the Target parking lot and they are asking everyone who attends to wear blue in honor and support of the Police Departments.

**Executive Session:** Mr. Tracy made a motion to go into Executive Session to consider the purchase or sale of property pursuant to Section 121.22(G)(2) of the Ohio Revised Code, seconded by Mr. Schultz with all voting "AYE".

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Mr. Tracy made a motion to come out of Executive Session, seconded by Mr. Schultz with all voting "AYE".

Mr. Tracy made a motion to authorize the Township Administrator to take any action and to execute all documents to the possession and ownership of the real estate property located at the intersection of business 28 and Route 28 behind the Township gateway sign from the Department of the Clermont County Transportation Improvement District, seconded by Mr. Schultz with all voting "AYE".

With no further business to come before the Board, the meeting was adjourned at 9:26 p.m.